

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ROBENSON J.,

Petitioner,

v.

THOMAS DECKER, *et al.*,

Respondents.

HON. KEVIN MCNULTY

Civil No. 20-5141 (KM)

**STIPULATION AND
ORDER OF DISMISSAL**

Petitioner Robenson J. and the Government Respondents, by and through their respective attorneys, hereby stipulate and agree to the dismissal of this action without prejudice with each party bearing its own costs and fees, including attorneys' fees, subject to the following paragraphs revising his terms of release as set forth in the Order dated May 22, 2020, ECF No. 31.

1. Respondents will not detain Petitioner absent a change of circumstances such as (a) an arrest or a charge for a new criminal offense, (b) a violation of U.S. Immigration and Customs Enforcement ("ICE")'s conditions of supervision, unless deemed excusable by ICE in their discretion, or (c) to effectuate Petitioner's removal from the United States.

2. In accordance with standard procedures, ICE will permit Petitioner to notify his counsel in the event of re-detention. Such opportunity will be afforded as soon as practicable but not later than 24 hours after re-detention occurs.

All other specific conditions of release set forth in the May 22, 2020, Order remain in effect but ICE shall have the authority to revise conditions of release moving forward.

Dated: December 15, 2022

s/ Molly K.C. Linhorst
MOLLY K.C. LINHORST, ESQ.
ACLU of New Jersey
Attorneys for the Petitioner

Dated: December 15, 2022

PHILIP R. SELLINGER
United States Attorney

By: s/ Alex Silagi
Alex Silagi
Assistant United States Attorney
Attorneys for Respondents

SO ORDERED.

Dated: 12/16/2022

/s/ Kevin McNulty
THE HONORABLE KEVIN MCNULTY
UNITED STATES DISTRICT JUDGE